

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

TEXTPOWER, INC., on behalf of itself and all
others similarly situated,

Plaintiff,

v.

CELLCO PARTNERSHIP d/b/a/ VERIZON
WIRELESS, AT&T MOBILITY LLC, SPRINT
NEXTEL CORPORATION, T-MOBILE USA,
INC., U.S. CELLULAR CORPORATION, CTIA –
THE WIRELESS ASSOCIATION, CLEARSKY
MOBILE MEDIA, INC., ERICSSON IPX, MBLOX
INCORPORATED, OPENMARKET INC.,
SYBASE, INC., SOUNDBITE
COMMUNICATIONS, INC., SYNIVERSE
TECHNOLOGIES, INC., UPOC NETWORKS,
INC., VIBES MEDIA, 3CINTERACTIVE, L.L.C.,
and WMC GLOBAL, INC.,

Defendants.

Case No. 12 CV 2729 (AJN)(MHD)

**NOTICE OF VOLUNTARY DISMISSAL WITHOUT PREJUDICE OF DEFENDANT
CLEARSKY MOBILE MEDIA, INC. N/K/A CLEARSKY TECHNOLOGIES, INC.**

Plaintiff TextPower, Inc., pursuant to Rule 41(a)(1)(A)(i) of the Federal Rules of Civil Procedure, hereby gives notice of the dismissal without prejudice of defendant ClearSky Mobile Media, Inc., n/k/a ClearSky Technologies, Inc. from the above-captioned action, the parties to bear their own fees and costs.

Dated: May 29, 2012

Respectfully submitted,

KAPLAN FOX & KILSHEIMER LLP

By: 
Robert N. Kaplan
Richard J. Kilsheimer
Gregory K. Arenson
Elana Katcher
850 Third Avenue
14th Floor
New York, NY 10022
Telephone: (212) 687-1980
Facsimile: (212) 687-7714
Emails: rkaplan@kaplanfox.com
garensen@kaplanfox.com
rkilsheimer@kaplanfox.com
ekatcher@kaplanfox.com

CUNEO GILBERT & LADUCA, LLP

Jonathan W. Cuneo
Victoria Romanenko
507 C Street, N.E.
Washington, D.C. 20002
Telephone: (202) 789-3960
Facsimile: (202) 789-1813
Emails: jonc@cuneolaw.com
vicky@cuneolaw.com

Joel Davidow
Cuneo Gilbert & LaDuca, LLP
Bethesda, Maryland
8120 Woodmont Ave
Suite 810
Bethesda, MD 20814
Phone: (202) 789-3960
Email: joel@cuneolaw.com

Michael Flannery
Cuneo Gilbert & LaDuca, LLP
300 North Tucker Boulevard
No. 801
St. Louis, MO 6310
Phone: (202)789-3960
Fax: (202)789-1813
Email: Mflannery@cuneolaw.com

Counsel for Plaintiff TextPower, Inc.

CERTIFICATE OF SERVICE

I, Elana Katcher, declare that, on May 29, 2012, I caused a true and correct copy of the foregoing Notice of Voluntary Dismissal Without Prejudice of Defendant Clearsky Mobile Media, Inc. n/k/a Clearsky Technologies, Inc. to be delivered to all counsel of record via the Court's ECF system.

/s/ Elana Katcher

Elana Katcher